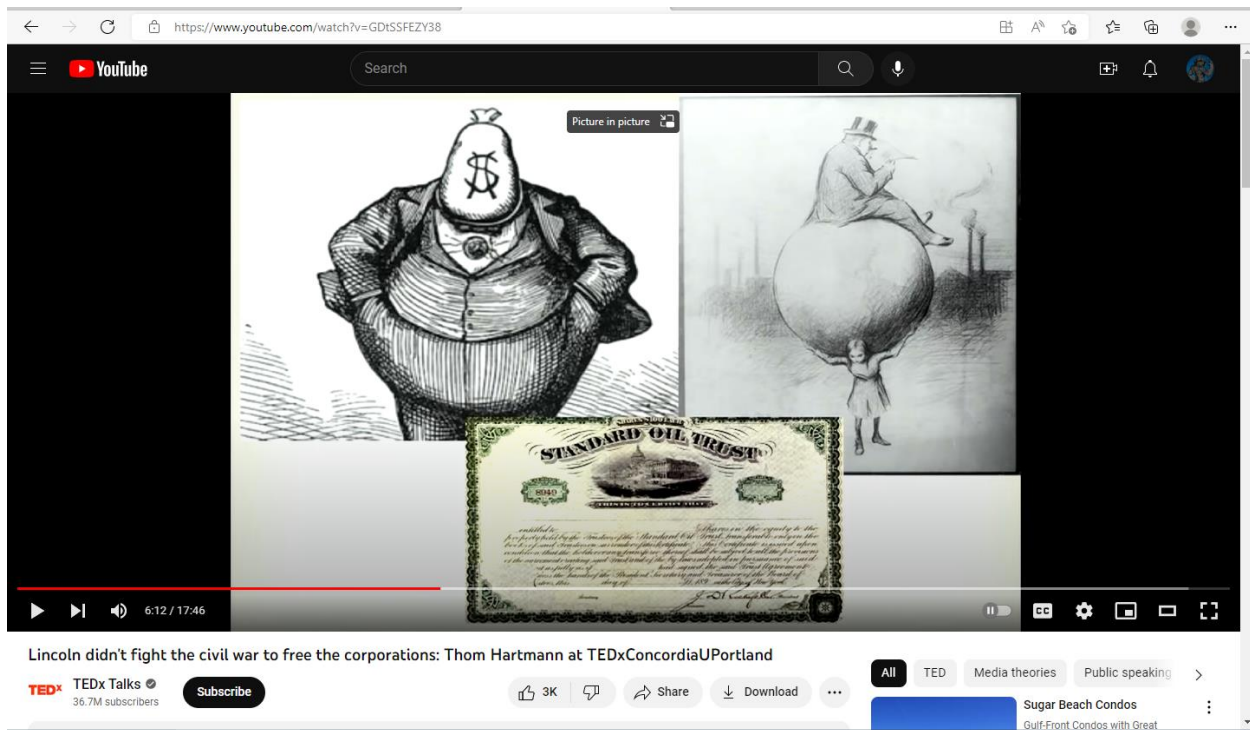


# Lincoln didn't fight the civil war to free the corporations: Thom Hartmann

(2014/05/09)



<https://www.youtube.com/watch?v=GDtSSFEZY38>

## Description Section:

Thom Hartmann is a progressive syndicated talk show host heard in over a half-billion homes worldwide. He's a New York Times best-selling, 4-time Project Censored Award-winning author of 24 books. One of his books sparked a national debate on ADD/ADHD and neurological differences ranging from giftedness to autism. Another book so inspired a U.S. Senator that he delivered copies of the book to his 99 colleagues in the Senate and read from it extensively on the floor of the Senate.

Thom has spent much of his life working with and for the relief organization, Salem International. He and his wife Louise also founded a community for abused children in New Hampshire, as well as a school for learning disabled and ADHD kids. A Michigan native with strong ties to the Midwest—but currently living on a boat in Washington D.C.—Hartmann is an inveterate traveler and occasional risk-taker and has often found himself in the world's hot spots during pivotal moments in history.

In the spirit of ideas worth spreading, TEDx is a program of local, self-organized events that bring people together to share a TED-like experience. At a TEDx event, TEDTalks video and live speakers combine to

spark deep discussion and connection in a small group. These local, self-organized events are branded TEDx, where x = independently organized TED event. The TED Conference provides general guidance for the TEDx program, but individual TEDx events are self-organized.\* (\*Subject to certain rules and regulations)

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## **Transcript: (auto-generated)**

0:18

if you were to ask the average fourth

0:20

grader or fifth grader if George

0:24

Washington had fought the Revolutionary

0:27

War for the purposes of freeing the

0:31

interests of the billionaires and the

0:34

corporate class in the UK they would

0:37

laugh at you if you were to ask them if

0:39

Abraham Lincoln fought the civil war to

0:42

free the corporations in America they

0:44

would go away seriously really you know

0:48

it can't everybody thinks they

0:50

understood what happened there however

0:53

the US Supreme Court in the last 35

0:56

years more or less has essentially said

0:58

these two things and I want to get to

1:01

how our history brought us to this point

1:05

how we've been through three gilded eras

1:08

how we responded to the first two and we

1:11

find ourselves now and another one and

1:13

how we can most appropriately respond to

1:15

that went back in the late 90s Louise

1:18

and I moved to Vermont and bought an old

1:23

house and up in the attic

1:25

found a 20 volume collection of the

1:27

collected writing of Thomas Jefferson

1:28

it's only been printed once it was

1:30

published in 1909 100th anniversary at

1:32

the end of his presidency by the Thomas

1:34

Jefferson Memorial Association I just

1:37

sold a business I had some time I was

1:39

working on a book in fact I was going to

1:41

write a book called what would Jefferson

1:42

do and so I took about two years and I

1:45

read most of these 20 volumes it was his

1:49

personal notes his letters his Diaries

1:52

all kinds of stuff and one of the things

1:54

that I discovered was that that

1:57

Revolutionary War of the George

1:59

Washington fought that we thought was

2:02

about no taxation without representation

2:05

and the Tea Act of 1773 which arguably

2:08

was the trigger for the thing because it

2:10

led directly to the Boston Tea Party

2:12

that that must have been some kind of

2:14

tax hike that the colonists didn't like

2:17

because they didn't want to be paying

2:18

taxes without being represented what I

2:20

discovered in reading Jefferson's

2:22

letters was that in fact the Tea Act of

2:26

1773 was the biggest tax cut in the

2:30

history of the world the country at that

2:34

time and and the country being an

2:36

extension of England was in a Gilded Age

2:40

it was in the tail end of a Gilded Age

2:42

but it was in a Gilded Age there was a

2:43

very small middle class there were the

2:45

the plantation owners and the farmers

2:47

and the mercantilists in in North

2:49

America there was a fairly large working

2:52

poor class and there was this very small

2:54

class of the very very very rich

2:56

virtually all of them were gone by the

2:58

end of the civil wars Jimmy Carter talks

3:00

about in his new book on or the

3:02

Revolutionary War excuse me on that on



3:04

that point and most of them were in the

3:07

UK and the biggest corporation in the

3:09

world was the East India Company and

3:11

they were sitting on a million pounds of

3:14

tea that they wanted to bring into the

3:16

United States and the biggest

3:17

competition they had was these local tea

3:19

shops that were all over the country all

3:21

up and down the East Coast there were

3:23

local entrepreneurial businesses and

3:24

they wanted to wipe them out they wanted

3:27

to pull a total Walmart put him out of

3:28

business these tea shops are buying

3:30

their tea from local importers who the

3:32

British called smugglers and so they

3:34

gave this giant tax cut to the British

3:36

East India Company retroactively Lee he

3:38

handed them a huge pile of cash so they

3:40

could be dumped their tea in the

3:42

American market and wipe out the

3:43

entrepreneurs so the Boston Tea Party

3:46

was a revolt by the local small business

3:49

people saying enough already enough of

3:52

the Gilded Age we are going to fight

3:53

back they didn't have a constitution

3:55

they could amend at that time they

3:56

didn't have a country but they fought

3:59

back we are today now in essence in

4:04

another Gilded Age Martin gilens

4:08

was on my program last week and was

4:10

talking about this issue he just he and

4:14

Ben Paige just completed a study 21

4:17

years they looked at at almost 2000

4:20

individual pieces of legislation at the

4:23

federal level and another study they had

4:24

looked at state legislation and what

4:27

they found was that over these last 21

4:30

years

4:31

legislation that had been proposed and

4:33

passed was most likely to be passed if

4:36

people in the 91 90th percentile income

4:40

and above essentially the top 1% favored

4:43

it but if the 50th percentile the

4:46

average person favored it or the 10th

4:48

percentile the working poor favored it

4:50

the probability of it being successfully

4:53

passed was equivalent to noise it was

4:56

just it was random there was no you know

4:59

it didn't happen in fact he said

5:00

majorities of the American public

5:02

actually have little influence over the

5:04

policies our government adopts instead

5:07

the decisions are mean made Gilliland

5:10

said by by the very wealthy by special

5:13

interest groups and by very large

5:15

corporations in many cases not even

5:17

American based corporations or American

5:19

corporations that do business all over

5:20

the world they're making the legislation

5:24

and this is producing a genuine crisis

5:27

this is producing a a new Gilded Age we

5:30

have wealth inequality like we had never

5:32

seen before and be a genuine crisis and

5:34

democracy people are not showing up

5:36

latest study about you know the upcoming

5:39

midterm elections indicated people under

5:42

25 fewer than a quarter of them even

5:44

intend to vote why bother

5:46

you know it doesn't matter people don't

5:47

I'm not represented so what do we do

5:52

about this and how have we confronted

5:54

this the past well the last time we had

5:56

a Gilded Age was back in after the Civil

6:00

War after reconstruction during the

6:01

industrialization of the United States

6:03

the 1870s 1880s the 1890s and as gilded

6:07

ages tend to do where inequality gets



6:10

massive than the top just gets super

6:12

concentrated it led to a great crash in

6:14

1896 and this led to the populist and

6:17

progressive revolt and and you found

6:20

Teddy Roosevelt and then President Taft

6:23

to Republicans oddly enough taking on

6:25

John rockefeller in the Standard Oil

6:27

Trust and taking them down breaking them

6:29

up into 26 individual pieces and going

6:32

after the large corporations they passed

6:34

the Tillman act in 1907 which made it a

6:36

felony you actually go to prison if you

6:39

were an officer or director of a

6:40

corporation and you gave money to a

6:42

candidate for federal office

6:44

they they they amended they they

6:47

successfully amended the Constitution

6:50

twice in response to this gilded Asian

6:53

in twice in response to this corruption

6:55

so that Senators instead of being

6:57

appointed they were basically being

6:58

bought at the state level instead of

6:59

being appointed by the states were

7:00

directly elected by the people and that

7:03

women could vote and the the consensus

7:05

was that women would would make the

7:06

process more transparent and less

7:09

corrupt and so that happened we had to

7:12

these two constitutional amendments plus

7:14

a whole variety of other laws that that

7:16

made in many states organ for example

7:19

passed constitutional amendments that

7:22

allow the citizens to get around

7:23

corrupted legislators with the direct

7:25

ballot initiative process they were so

7:28

emphatic about this at the end of the

7:31

last Gilded Age keep in mind the first

7:33

Gilded Age that ended with the American

7:35

Revolution ii killed at age ended with

7:38

the populist progressive revolt in these

7:39

two constitutional amendments and all

7:41

these laws they were so emphatic about

7:42

it that virtually every state in the

7:44

country passed a variation on the

7:45

Tillman act around the turn of the last

7:47

century and they were notice how

7:52

incredibly emphatically concern was about

7:55

this this is an old Wisconsin law that

7:58

jane-anne Morris found a historian and

8:00

author on this stuff and notice the word

8:03

any in here this is this is fascinating

8:05

this is the actual law no corporate and

8:09

it's based on the Tillman act and it was

8:11

legal back then and in fact they didn't

8:12

take it off the books until 1954 no

8:14

corporation doing business in the state

8:16

shall pay or contribute or offer consent

8:19

or agree or payer to payer contribute

8:21

directly or indirectly any money

8:24

property free service of its officers or

8:26

employees are thing of value to any

8:29

political party organization committee

8:32

or individual for any political purpose

8:35

whatsoever or for the purpose of

8:38

legislation influencing legislation of

8:40

any kind or to promote her to feat the

8:43

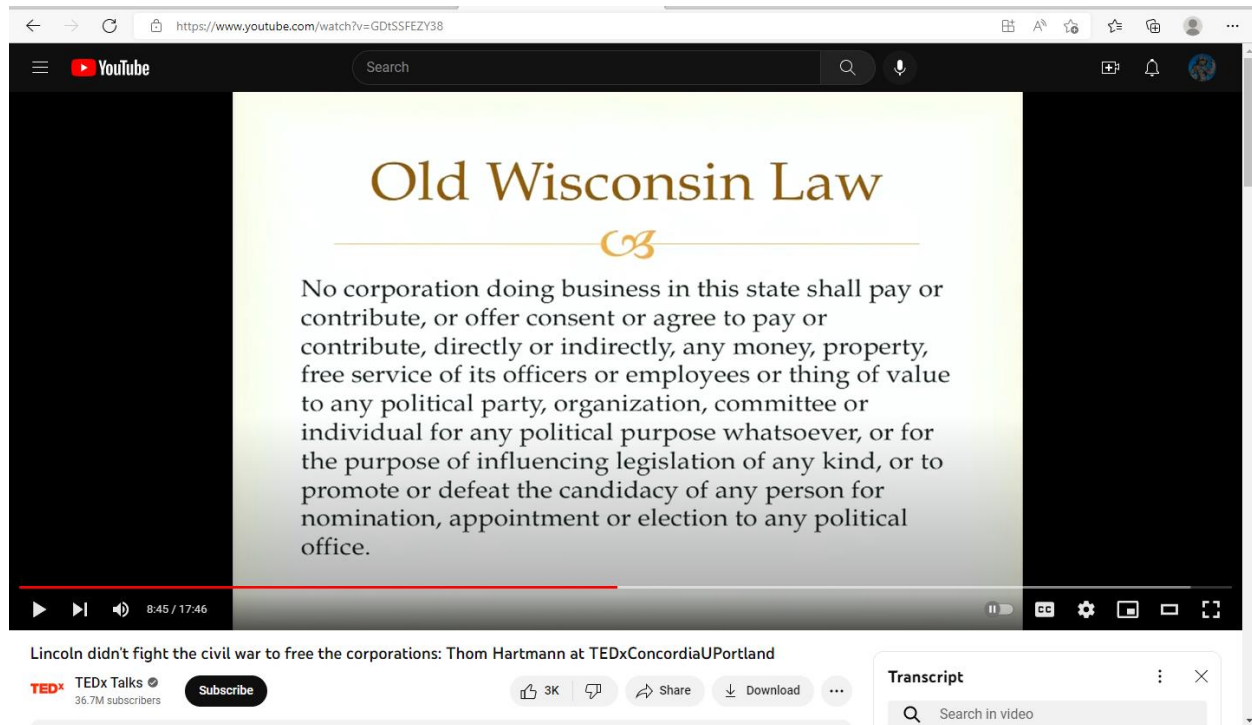
candidacy of any person for the

8:46

nomination appointment or election to

8:48

any political office all right this is



The screenshot shows a YouTube video player interface. The video is paused at 8:45 / 17:46. The main content is a slide with the title "Old Wisconsin Law" in a large, brown, serif font. Below the title is a decorative flourish. The text on the slide reads: "No corporation doing business in this state shall pay or contribute, or offer consent or agree to pay or contribute, directly or indirectly, any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual for any political purpose whatsoever, or for the purpose of influencing legislation of any kind, or to promote or defeat the candidacy of any person for nomination, appointment or election to any political office." The video player includes standard controls like play/pause, volume, and a progress bar. Below the video, the title "Lincoln didn't fight the civil war to free the corporations: Thom Hartmann at TEDxConcordiaUPortland" is visible, along with the TEDx Talks logo, a subscribe button, and engagement metrics (3K likes, share, download options). A transcript box is open on the right side of the player.

Lincoln didn't fight the civil war to free the corporations: Thom Hartmann at TEDxConcordiaUPortland

TEDx Talks 36.7M subscribers

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Transcript

Search in video

8:51

damn emphatic right

8:54

and they put some teeth into this the

8:56

penalty to this law said any officer

8:59

employee agent attorney or other

9:01



representative in other words lobbyists

9:02

of the corporation acting foreign on

9:05

behalf of such a corporation shall

9:06

violate this act shall be punished upon

9:08

conviction by imprisonment in the state

9:09

prison for a period of not less than one

9:12

or more than five years if it's a

9:14

domestic that is based in the state

9:16

corporation it may be dissolved they got

9:18

the corporate death penalty if it's a

9:20

foreign or non-resident corporation the

9:22

right to do business in the state may be

9:23

declared forfeit that was how we

9:26

responded to that Gilded Age that's how

9:28

we brought back a middle class in

9:30

America in part I mean there's a lot of

9:32

other pieces to it and and it worked

9:36

right it worked the American Revolution

9:38

ended that Gilded Age this ended that

9:40

Gilded Age now we have this new modern

9:43

crisis and this Gilded Age is a little

9:45

more difficult to take on because the

9:47

Supreme Court has said essentially that

9:50

Abraham Lincoln did in fact fight the

9:52

Civil War to free the slaves there were

9:53

three constitutional amendments after

9:55

the end of the Civil War the 13th 14th

9:56

and 15th Thirteenth says you can't be a

10:00

slave anymore 14th says regardless of

10:02

your you know no matter what you

10:04

everybody has the equal right equal

10:07

protection under the law and the 15th

10:09

says that former slaves can vote but

10:13

according to Justice John Paul Stevens

10:14

recently left the court this judge made

10:18

law which has come into place in the

10:20

last 35 years more or less and really

10:22

emphatically in the last decade that

10:26

really when the founders wrote the First

10:28

Amendment they weren't just talking

10:29

about speech they actually meant to

10:30

protect money that money is somehow

10:31

magically found in the First Amendment

10:33

and when they wrote the 14th amendment

10:35

after the Civil War they actually meant

10:37

to protect the corporations when they

10:38

were talking about persons who had equal

10:40

right equal protection rights in a way

10:43

this started with the buckley versus

10:45

vallejo decision and and in that case

10:48

they began dealing with the issue of the

10:51

constitutionality of speech of money as

10:53

speech although they at that point they

10:55

were calling giving money to political

10:57

campaigns the regulation of conduct it

10:59

was still regulatable a year later in

11:03

First National Bank versus Pilate it

11:05

really started to fall apart

11:06

and by citizens united

11:08

McCutchin campaign contributions had

11:09

fully become speech and corporations had

11:12

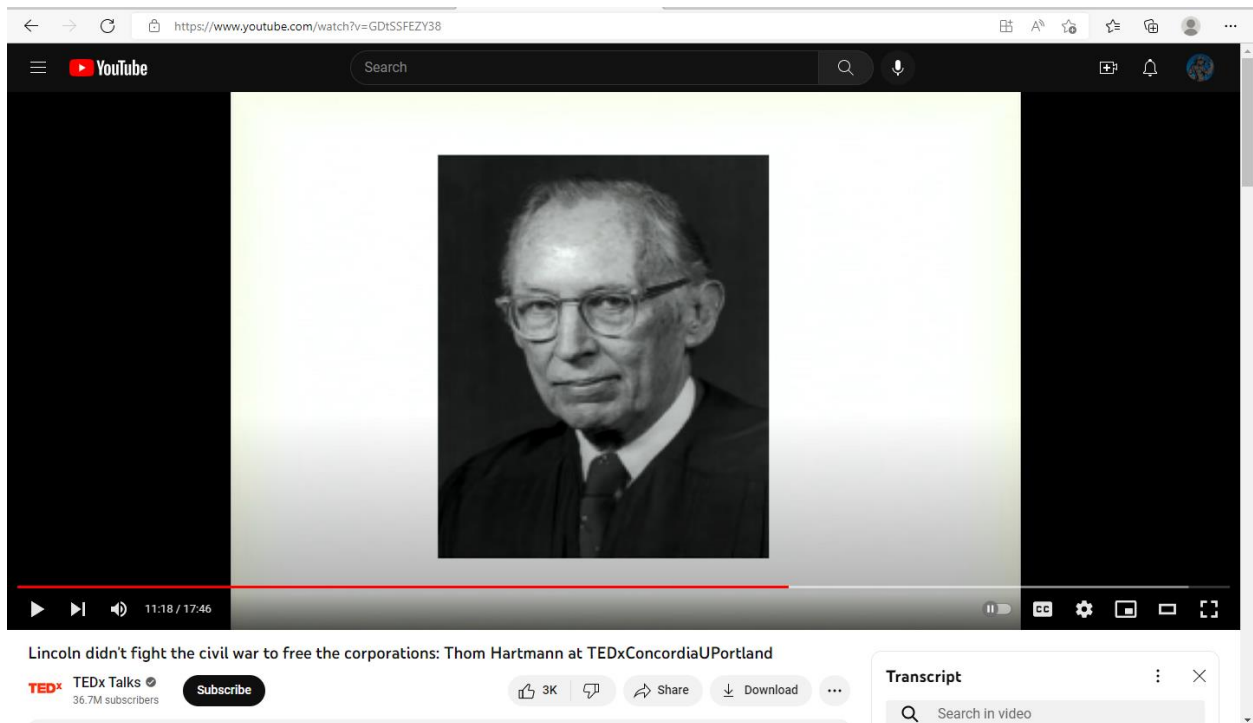
fully become persons First Amendment

11:14

Fourteenth Amendment in part this was

11:17

because Lewis Powell in 1971 was

A screenshot of a YouTube video player. The video is paused at 11:18 / 17:46. The main content is a black and white portrait of Lewis Powell, an older man with glasses, wearing a suit and tie. The YouTube interface is visible, including the search bar, navigation icons, and a transcript panel on the right. The video title is "Lincoln didn't fight the civil war to free the corporations: Thom Hartmann at TEDxConcordiaUPortland". The channel is "TEDx Talks" with 36.7M subscribers. There are 3K likes, a share button, and a download button. The transcript panel is open, showing a search bar and the word "Transcript".

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11:18 / 17:46

Lincoln didn't fight the civil war to free the corporations: Thom Hartmann at TEDxConcordiaUPortland

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Transcript

Search in video

11:20

horrified in the late 60s he was a

11:22

tobacco lawyer in Virginia and he saw

11:24

the tobacco industry was coming under

11:26

under fire but he saw other industries

11:28

coming under fire as well and in the

11:31

1960s and he named specifically in this

11:34

memo he wrote in 1971 he gave it to his

11:36

friend Eugene sindoor who was the head

11:38

of the US Chamber of Commerce which up

11:40

until I appointed been entirely



11:41

apolitical he said Rachel Carlson's book

11:47

Silent Spring and Ralph Nader he called

11:49

out Ralph Nader by name his book unsafe

11:51

at any speed these books had ignited a

11:52

consumer movement in the late 60s and

11:54

this was a threat to corporate America

11:57

and he said we have to get politically

12:00

active we have to get institutionally

12:02

active we have to take over the schools

12:03

we have to take over the legislators we

12:05

have to take over the judiciary we have

12:07

to create think tanks and create public

12:09

opinion business has to get its message

12:11

out it's not enough for the US chamber

12:13

or any other business organization just

12:15

be a business organization anymore we've

12:17

got to get out there and be active and

12:21

in and you know the US Chamber read this

12:25

memo this was early 71 said okay and out

12:28

of this have come a whole variety of

12:30

major institutions that have shaped

12:31

public policy throughout the United

12:33

States over the last 40 years in very

12:36

significant ways leading right to these

12:38

dual Supreme Court doctrines in many

12:41

cases explicitly to these doctrines that

12:43

money is protected by the First

12:45

Amendment even though you don't find the

12:46

word money in the First Amendment and

12:48

the corporations are protected by the

12:49

Fourteenth Amendment even though you

12:50

don't find that in the fourteenth of

12:52

them so what do we do about this I mean

12:55

he was put on the Supreme Court three

12:57

months after he wrote this memo by

12:58

Richard Nixon and once he got on the

13:01

Supreme Court he started arguing for

13:03

these positions and in the Buckley case

13:05

in 76 in the Bilotti case in 775 excuse

13:09

me in the bloody case in 76 in Beart

13:12

Boston versus Bellotti

13:13

the supreme up until that point

13:15

Massachusetts had a lotta sand

13:17

corporations can't put money into

13:18

political events first National Bank was

13:21

of Boston was throwing money into a

13:23

political event that had nothing to do

13:24

with banking Frank Pilate the Attorney

13:26

General came in tried to shut him down

13:28

they took this to the Supreme Court and

13:29

Powell and his buddies said oh yeah

13:32

they've got they're going to write the

13:33

free speech it's a corporation William

13:36

Rehnquist wrote the dissent said this is

13:38

crazy

13:39

amazingly enough so now we have this

13:43

judge made law no legislator in any

13:47

state in the United States has ever

13:48

voted to say corporations are people and

13:52

money is speech never know governor has

13:54

ever signed such legislation no

13:56

legislature in the United States House

13:58

of Representatives or Congress in the

14:00

history of the country has ever

14:01

suggested such a thing no president has

14:02

ever signed it in fact go back and read

14:04

the 1887 Grover Cleveland's annual

14:08

address to the nation his State of the

14:10

Union address in which he talks about

14:12

the iron heel the iron boot the iron

14:16

heel of corporations being upon the

14:18

necks of average citizens this was back

14:21

when the right at it was the year after

14:23

the first time the corporations as

14:24

persons was argued before the Supreme

14:26

Court so what do we do about this well

14:29

there is a very clear suggestion to fix



14:32

this judge-made law it's the 28th

14:34

amendment the next amendment to the

14:35

Constitution it's been introduced into

14:37

Congress by Richard Nolan and

14:38

Congressman rich and all richard nolan

14:40

and mark Pocan among others and it says

14:43

a few things these this is it's very

14:45

short very brief basically the rights

14:48

protected by the Constitution of the

14:49

United States are rights of natural

14:51

persons only right we the people not we

14:53

the corporations artificial entities

14:59

corporations shall have no rights under

15:02

the Constitution a privileges of course

15:04

but no rights under the Constitution and

15:05

our subject to regulation by we the

15:07

people through federal state or local

15:09

law number one

15:10

so no more corporate personhood number

15:12

two no more the Supreme Court saying

15:15

that money is speech the judiciary this

15:17

is the Supreme Court shall not construe

15:19

the spending spending of money to

15:20

influence elections to be speech under

15:22

the First Amendment very simple this is

15:25

this is how we get around

15:26

now the objection that I hear from

15:30

people to this is wait a minute there

15:33

are 27 amendments of the Constitution it

15:35

there have been over 29,000 proposed

15:38

since 17 1793 when it was first ratified

15:43

and good luck well the reality is at the

15:48

end of the last Gilded Age we got a

15:50

couple really fast and they were very

15:51

successful because the people's dinner

15:53

where people were upset people people

15:55

understood the problem and they pushed

15:58

it through we had a similar situation in

16:01

the United States a similar crisis it

16:03

wasn't a crisis of a Gilded Age but it

16:05

was a similar crisis back in 1971 you

16:07

had young people going off to Vietnam

16:09

and dying and they weren't old enough to

16:12

vote they were old enough to be drafted

16:14

but not to vote Barry McGuire song the

16:15

eve of destruction you're old enough to

16:17

vote but not after die old enough to die

16:19

but not for voting hit the number one

16:21

billboard and and America was animated

16:24

and so the the 26th amendment was

16:28

proposed it went it was proposed into

16:32

Congress in March of 1971 it was

16:36

ratified on July 1st 1973 from the time

16:39

it got dropped into Congress Congress

16:41

has to pass it then three-quarters of

16:43

the states have to ratify it it took

16:44

three months and eight days it is

16:47

possible to amend the constellation from

16:50

21 down to 18 it is possible to get a

16:53

constitutional amendment when we the

16:55

people say hey enough we've had enough

16:59

already

17:00

which means that the job now if we want

17:02

to end this Gilded Age and we want to

17:05

put the power of the of the United

17:07

States government back to the people so

17:09

that people actually want to vote

17:10

because they're actually represented if

17:12

we want to do it we have to wake up

17:16

America we have to tell people what has

17:18

happened we have to tell people what can

17:20

be done and this is there's many other

17:22

possible solutions I think this is the

17:24

cleanest and most powerful and we have

17:26

to be waking up everybody we know tag

17:30

you're it thank you

17:40

you